

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GUILLERMO TRUJILLO CRUZ,

Plaintiff,

v.

THOMPSON, et al.,

Defendants.

Case No. [23-cv-05759-HSG](#)

ORDER OF DISMISSAL

Re: Dkt. Nos. 14, 16-18

Plaintiff filed this *pro se* civil rights action pursuant to 42 U.S.C. § 1983. For the reasons set forth below, the Court DENIES Plaintiff's motion to show cause, Dkt. No. 14; DENIES as moot both Plaintiff's request for an extension of time, Dkt. No. 16, and his Motion for Corresponding to Court Order dated: August 2, 2024," Dkt. No. 17; DENIES his renewed application to proceed *in forma pauperis*, Dkt. No. 18; and DISMISSES this action without prejudice for failure to pay the filing fee in full.

DISCUSSION

On August 2, 2024, the Court denied Plaintiff's requests to proceed *in forma pauperis* pursuant to the three-strikes provision set forth in 28 U.S.C. § 1915. The Court ordered Plaintiff to pay the \$402 filing and administrative fee in full by August 30, 2024 or face dismissal of this action. Dkt. No. 15.

The deadline to pay the filing fee has passed, and Plaintiff has not paid the filing fee. Instead, Plaintiff has filed three pleadings.

First, Plaintiff has filed a motion requesting an extension of time to file a response to the Court's August 2, 2024 Order. Dkt. No. 16. The Court DENIES this request. The Court's August 2, 2024 Order does not require a response. To the extent that Plaintiff is seeking either an

1 extension of time to file a motion for reconsideration of the Court's August 2, 2024 order or to
2 fulfill his payment obligation, these requests are DENIED. Plaintiff has not explained why he
3 requires an extension of time. In addition, Plaintiff has not obtained leave of court to file a motion
4 for reconsideration, as required by N.D. Cal. L.R. 7-9. If Plaintiff is later able to pay the filing fee
5 in full, he may move to reopen this case and pay the filing fee at that time.

6 Second, Plaintiff has filed a pleading titled, "Motion for Corresponding to Court Order
7 Dated August 2, 2024." Dkt. No. 17. In this pleading, he asks that the Court not ignore his
8 request for an extension of time docketed at Dkt. No. 16. This request is DENIED as moot as the
9 Court has addressed Dkt. No. 16 above.

10 Third, Plaintiff has filed a renewed application to proceed *in forma pauperis*. Dkt. No. 18.
11 This application is DENIED for the reasons set forth in the Court's August 2, 2024 Order.

12 The deadline to pay the filing fee in full has passed, and Plaintiff has not paid the filing
13 fee. Accordingly, the Court DISMISSES this action for failure to pay the filing fee in full. This
14 dismissal is without prejudice to filing a request to reopen, but any request to reopen must be
15 accompanied by the full filing and administrative fees. In light of the dismissal of this action,
16 Plaintiff's request for an order to show cause is DENIED as moot. Dkt. No. 14.


17 CONCLUSION

18 For the reasons set forth above, the Court denies Dkt. Nos. 14, 16, 17, and 18, and
19 DISMISSES this action without prejudice for failure to pay the filing fee in full. Judgment is
20 entered in favor of Defendants and against Plaintiff. The Clerk is directed to terminate any
21 remaining motions as moot and close the case.

22 This order terminates Dkt. Nos. 14, 16, 17, 18.

23 **IT IS SO ORDERED.**

24 Dated: 10/4/2024

25 
26 HAYWOOD S. GILLIAM, JR.
27 United States District Judge
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